

AUG 07 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

NORMAN JAMES FIELD,

Plaintiff - Appellant,

v.

RYAN ROOKHUIZEN,

Defendant - Appellee.

No. 05-35032

D.C. No. CV-04-00082-BLG-RFC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Montana  
Richard F. Cebull, District Judge, Presiding

Submitted July 22, 2008\*\*

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Norman James Field appeals pro se from the district court's order dismissing his action alleging violations of the Fair Housing Act, 42 U.S.C. § 3601 *et seq.*, as

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

amended by the Fair Housing Amendments Act of 1988 (“FHA”). We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *Huftile v. Miccio-Fonseca*, 410 F.3d 1136, 1138 (9th Cir. 2005), and we affirm.

The district court properly dismissed Field’s claim that his landlord failed to provide reasonable accommodations under the FHA because Field failed to allege facts that rise to the level of a FHA violation. *See* 42 U.S.C. § 3604(f)(2)(A), (3)(B); *Dubois v. Ass’n of Apartment Owners of 2987 Kalakaua*, 453 F.3d 1175, 1179 (9th Cir. 2006) (listing elements to establish a claim for reasonable accommodations), *cert. denied*, 127 S. Ct. 1267 (2007).

The district court properly dismissed Field’s claim for retaliation under the FHA because he did not allege an adverse action or an injury in fact. *See* 42 U.S.C. § 3617; *Walker v. City of Lakewood*, 272 F.3d 1114, 1123, 1128-30 (9th Cir. 2001) (setting forth requirement for injury in fact and the elements to establish a retaliation claim).

Field’s remaining contentions are unpersuasive.

**AFFIRMED.**